Sri B. P. KADAM.—Is it true that caste is an important consideration for deciding the seniority of officials ?

Sri B. D. JATTI.—Not from the point of the Government. It may be from the point of view of the Hon'ble Member.

ಶ್ರೀ ಜೆ. ಎಲ್. ಕಬಾಡಿ.—ಅಡ್ವೈಸರಿ ಬಾಡಿಯೊಳಗೆ ಯಾರ್ಯಾರು ಇದ್ದಾರೆ ?

Sri B. D. JATTI.—The Chairman of the Public Service Commission is the Chairman of the appellate body. In the Central Appellate body, the Chairman of the Federal Public Service Commission is the Chairman and there are other members on the body.

ಶ್ರೀ ಹೆಚ್. ಡಿ. ದೇವೇಗೌಡ.—ಸೀನಿಯಾರಿಟಿ ಲಿಸ್ಟನ್ನು ಮಾಡುವಾಗ ಪ್ರೊವಿಷನಲ್ ಲಿಸ್ಟನ್ನು ಕಾಲ್‌ಫಾರ್ ಮಾಡುವುದಕ್ಕೆ ಮುಂಚೆ ಸಂಬಂಧಪಟ್ಟ ಅಧಿಕಾರಿಗಳು ಅಬ್‌ಜಕ್ಷನ್ಸುಗಳನ್ನು ಹಾಕಿ ಅಡ್ವೈಸರಿ ಬಾಡಿ ಮುಂದೆ ಕಳುಹಿಸಿದ್ದರೂ ಕೂಡ ಆ ಕಮಿಟಿಯವರು ಎಕ್ಸ್‌ಪಾರ್ಟಿಯಾಗಿ ತೀರ್ಮಾನ ಕೊಡುವುದು ಸರಿಯೇ ?

Sri B. D. JATTI.—Such Instances have not been brought to the notice of the Government. Secondly it is not compulsory that everybody should be heard. If they have given their objection in writing and if they are sufficient according to the opinion of the Appellate Advisory Body, they may not call for hearing.

Seniority Lists of Officials of Public Works Department.

*Q.—592. Smt. NAGARATHNAMMA HIREMATH (Gandhinagar).—

Will the Government be pleased to state :—

(*a*) the reasons for not yet finalising the Seniority lists of the officials of P. W. Department in the State even though the same is being prepared from the last 8 years ;

(*b*) whether any definite principles, rules, etc., are being followed in finalising the said seniority list ;

(*c*) whether it has come to their notice that the inordinate delay in preparing the seniority list has created dissatisfaction among many officials in the State, thereby impeding the achievement of emotional integration ;

(*d*) whether it is a fact that many of the officials have represented to the Government stating that injustice has been caused to them in fixing their seniority ;

(*e*) if so, the number of such officials ;

(*f*) when they propose to finalise the said seniority list ?

*A.—Sri B. D. JATTI (Minister for Finance) [on behalf of SRI S. NIJALINGAPPA (Chief Minister)].—

(*a*) Under the States Reorganisation Act, the authority to decide the final equivalence of posts rests with the Central Government, the function of the State Government being to assist the Central

(SRI B. D. JATTI)

Government by furnishing all the necessary data by way of publishing a provisional Inter-State Seniority List giving the equivalence of posts.

The provisional Inter-State Seniority List of the Gazetted Officers of the Public Works Department was published in 1957 calling for objections. The representations of the aggrieved officers together with the comments of the State Government have been forwarded to the Government of India for being placed before the Central Advisory Committee for their consideration. The decisions of the Government of India on the representations are yet awaited. The list can be finalised only after receipt of the decisions of Government of India.

In regard to the non-Gazetted cadres the provisional Lists were in the first instance prepared by the departmental head and the same was circulated for eliciting objections. The representations of the aggrieved officers were considered by the State Government and certain changes made. In accordance with the High Court's decision in a Writ Petition, the changes made had to be notified calling for objections. After considering these objections the revised provisional Inter-State Seniority List in respect of Junior Engineers, Supervisors, Stenographers and Typists had been published in the Gazette. The lists relating to Junior Engineers and Supervisors were however quashed by the High Court. Further action to be taken in regard to these two Lists in the light of the High Court's judgement is being examined. The representations relating to Stenographers and typists have been placed before State Advisory Committee. Necessary action is being taken to expedite the publication of the revised provisional Inter-State Seniority Lists of the remaining cadres.

(*b*) Yes.

(*c*) There is some amount of dissatisfaction.

(*d*) In the matter of integration of services, there is bound to be some dissatisfaction. The representations of the aggrieved officials are sent to the Central Government for their decision.

(*e*) 339.

(*f*) Before the end of this year.

ಶ್ರೀ ಜೆ. ಎಲ್. ಕಬಾಡಿ.—ಅಪ್ಪೆಲ್ಲೆಸರಿ ಬಾಡಿಯನ್ನು ಫಾರಂ ಮಾಡಿದಮೇಲೆ ಅವರು ಎಷ್ಟು ಕೇಸುಗಳನ್ನು ವಿಚಾರಣೆ ಮಾಡಿ ಇತ್ಯರ್ಥಪಡಿಸಿರುವ ಬಗ್ಗೆ ಸರಕಾರಕ್ಕೇನಾದರೂ ಒಂದು ರಿಪೋರ್ಟು ಬರುತ್ತಿದೆಯೇ ?

Sri B. D. JATTI.—It is not the State Government that has constituted the appellate body. It is the Government of India.

ಶ್ರೀ ಜೆ. ಎಲ್. ಕಬಾಡಿ.—ಯಾವಾಗ ಮಾಡಿದ್ದು ?

Sri B. D. JATTI.—After the formation of the new Mysore, the Government of India constituted these bodies.

ಶ್ರೀಮತಿ ನಾಗರತ್ನಮ್ಮ ಹಿರೇಮಠ.—339 ಜನರಿಗೆ ಅನ್ಯಾಯವಾಗಿದೆ ಎಂದು ಇದರಲ್ಲಿದೆ. ಇದರಲ್ಲಿ ಸೂಪರಿಂಟೆಂಡೆಂಟು ಇಜನೀಯರುಗಳೆಷ್ಟು ? ಎಕ್ಸಿಕ್ಯೂಟೀವ್ ಇಂಜನೀಯರುಗಳು ಎಷ್ಟು ಜನ ಮತ್ತು ಅಸಿಸ್ಟೆಂಟು ಇಂಜನೀಯರುಗಳು ಎಷ್ಟು ಜನ ಎನ್ನುವುದನ್ನು ಹೇಳುವುದಕ್ಕಾಗುತ್ತದೆಯೇ ?

Sri B. D. JATTI.—I can give two categories. One is gazetted and another is non-gazetted. Gazetted 178 and non-gazetted 161, total 339.

ಶ್ರೀ ಹೆಚ್. ಆರ್. ಕೇಶವಮೂರ್ತಿ.—ಪಿ. ಡಬ್ಲ್ಯು. ಡಿ. ಇಲಾಖೆಯಲ್ಲಿ ಒಬ್ಬರು ಸೂಪರಿಂಟೆಂಡಿಂಗ್ ಇಂಜನೀಯರವರನ್ನು ಪ್ರಮೋಷನ್ನು ಕೊಡುವಾಗ ಹೈಕೋರ್ಟಿನವರು ಅದನ್ನು ಹಿಂದಕ್ಕೆ ಹಾಕಬೇಕೆಂದು ಒಂದು ಕಾನೂನು ಪ್ರಕಾರ ಹೇಳಿದರು. ಆದರೆ ಸರಕಾರದವರು ಒಂದು ಕಾನೂನಿನಂತೆ ಮಾಡಿದೆವು ಎಂದು ಹೇಳುತ್ತಾರೆ. ಹೀಗೆ ಒಂದೇ ಕಾನೂನನ್ನು ಬದರಾವಣೆ ಮಾಡಲು ಕಾರಣವೇನು ?

Sri B. D. JATTI.—I have gone on replying repeatedly that whatever decision of the High Court, we will have to accept it.

Mr. SPEAKER.—"Kanoonu" as understood by the Government is administered ; if the High Court says another thing, it is final.

Sri B. D. JATTI.—In some cases if the Government comes to the conclusion to go to the Supreme Court, it will go.

Sri C. J. MUCKANNAPPA.—The Hon'ble Minister said that they are going to respect the verdict of the High Court. Has it accepted and placed the present Raichur Circle Superintending Engineer and the persons who have been upheld by the High Court are placed below him ?

Sri B. D. JATTI.—If specific instances are pointed out we will look into them if we have not taken action.

ಶ್ರೀ ಹೆಚ್. ಆರ್. ಕೇಶವಮೂರ್ತಿ.—ಕಾನೂನು ಅನುಸರಿಸಿಬಿಟ್ಟು ಸರಕಾರದವರು ಪ್ರಮೋಷನ್ನು ಕೊಟ್ಟಾಗ ಅದೇ ಕಾನೂನಿನ ಆಧಾರದ ಮೇಲೆಯೇ ಹೈಕೋರ್ಟಿನವರೂ ಕ್ಯಾಷ್ ಮಾಡುತ್ತೇವೆಂದು ಹೇಳುತ್ತಾರೆ. ಸರಕಾರದವರು ಮಾಡಿರುವುದು ಒಬ್ಬರಿಗೊಂದು ಕಾನೂನೇ ಅಥವಾ ದೇಶಕ್ಕೆಲ್ಲಾ ಒಂದೇ ಕಾನೂನು ಇದೆಯೇ ?

ಶ್ರೀ ಬಿ. ಡಿ. ಜತ್ತಿ. ಪ್ರಮೋಷನ್ನು ಕೊಡುವಾಗ ಸರಕಾರದ ಇಂಟರ್‌ಪ್ರಿಟೇಷನ್ನು ಕಾನೂನು ಪ್ರಕಾರ ಮಾಡಿದ್ದರೂ ಹೈಕೋರ್ಟಿನವರು ಯಾವ ರೀತಿಯಾದ ಆದೇಶವನ್ನು ಕೊಡುತ್ತಾರೋ ಅವರ ಇಂಟರ್‌ಪ್ರಿಟೇಷನ್ನನ್ನೇ ಕಾನೂನು ಪ್ರಕಾರ ಒಪ್ಪಬೇಕಾಗುತ್ತದೆ.

Sri S. SIVAPPA.—May I know how many writ petitions were admitted in the High Court regarding the appointments made disregarding the inter-state seniority list and how many writ petitions have been quashed.

Sri B. D. JATTI.—There is a separate question pending before the House. The moment we get information from the judicial authorities we will supply that information.

ಶ್ರೀ ಹೆಚ್. ಡಿ. ದೇವೇಗೌಡ.—ಪಿ.ಡಬ್ಲ್ಯು.ಡಿ. ಇಲಾಖೆಯಲ್ಲಿ 107 ಜನ ಅಸಿಸ್ಟೆಂಟು ಇಂಜನೀಯರುಗಳು ಏನಿದ್ದಾರೆ ಅವರುಗಳು ಎಸ್.ಡಿ.ಓ. ಗಳಾಗಿ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದರು ಎಂದು ಅವರ ಸೀನಿಯಾರಿಟಿ ಲಿಸ್ಟನ್ನು ಫೈನಲೈಜ್ ಮಾಡತಕ್ಕ ಕಾಲದಲ್ಲಿ ಈ ಸರ್ವೀಸನ್ನು ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೆ ಆಗುವುದಿಲ್ಲ ಎಂದು ಒಂದು ನಿರ್ಣಯ ತೆಗೆದುಕೊಂಡು ಮಾಡಿದರೆ ಕಾನೂನಿಗೆ ಅನ್ಯಾಯ ಮಾಡಿದಂತಾಗುವುದಿಲ್ಲವೇ ?

ಶ್ರೀ ಬಿ. ಡಿ. ಜತ್ತಿ.—ಅದು ಅಭಿಪ್ರಾಯದ ಮಾತು. ಆದರೆ ಈಗಾಗಲೇ ನಾನು ಮೊದಲು ಹೇಳಿದಂತೆ ಟೆಸ್ಟುಗಳಿವೆ. ಅದರಲ್ಲಿ ತೀರ್ಮಾನವಾಗಬೇಕಾಗುತ್ತದೆ ಮತ್ತು ಇನ್ನು ಇತರ ಕಂಡಿಷನ್ನುಗಳೂ ಇರುತ್ತವೆ.

Sri GANJI VEERAPPA.—Are there any instances wherein the State Government has not approved the seniority list approved by the Government of India ? or have modifications here ?

Sri B. D. JATTI.—How can the State Government modify the final decision approved by the Government of India. It is not possible.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ಸೀನಿಯಾರಿಟಿ ಕನ್‌ಸಿಡರ್ ಮಾಡುವಾಗ ಎಂಟನೆಯವರಾಗಿದ್ದವರನ್ನು ಚೀಫ್ ಇಂಜನೀಯರಾಗಿ ಮಾಡಿ ಮೂರನೆಯವರಾಗಿದ್ದವರನ್ನು ಸೂಪರ್‌ಸೀಡು ಮಾಡಿ ಚೀಫ್ ಇಂಜನೀಯರು ಆಗುವವರನ್ನು ಈಗ ಶಿವಮೊಗ್ಗಾ ಜಿಲ್ಲೆಯ ಸೂಪರಿಂಟೆಂಡೆಂಟು ಇಂಜನೀಯರನ್ನಾಗಿ ಮಾಡಿದ್ದೀರಿ. ಇಂತಹ ಅನೇಕ ಲೋಪದೋಷಗಳು ಇರುವುದರಿಂದ ಚೀಫ್ ಇಂಜನೀಯರಾಗುವವರಿಗೆ ಅವರ ಸೀನಿಯಾರಿಟಿ ಅಫೆಕ್ಟ್ ಆಗುವುದಿಲ್ಲವೇ ?

Sri B. D. JATTI.—The supplementary has nothing to do either with the inter-se-seniority or inter-state seniority list.

Sri C. J. MUCKANNAPPA.—Whether it is inter-state seniority list or inter-se-seniority list, it is due to him.

Sri B. D. JATTI.—This is a matter which has to be decided by selection. It is not promotion.

Seniority Lists of the Officials of Co-operation Department.

*Q.—593. Smt. NAGARATHNAMMA HIREMATH (Gandhinagar).—

Will the Government be pleased to state :—

(*a*) the reasons for not yet finalising the seniority lists of the officials of Co-operation Department in the State even though the same is being prepared from the last eight years ;

(*b*) Whether any definite principles, rules, etc., are being followed in finalising the said seniority list ;

(*c*) whether it has come to their notice that the inordinate delay in preparing the seniority list has created dissatisfaction among many officials in the State, thereby impeding the achievement of emotional integration ;

(*d*) whether it is a fact that many of the officials have represented to the Government stating that injustice has been caused to them in fixing their seniority ;

(*e*) if so, the number of such officials ;

(*f*) when they propose to finalise the said seniority list ?

A.—Sri B. D. JATTI (Minister for Finance) [on behalf of SRI S. NIJALINGAPPA (Chief Minister)].—

(*a*) Under the States Reorganisation Act, the authority to decide the final equivalence of posts rests with the Central Government, the function of the State Government being to assist the Central Government by furnishing all the necessary data by way of publishing a provisional Inter-State Seniority List giving the equivalence of posts.

The Provisional Inter-State Seniority List of the Gazetted Officers of the Co-operation Department was published in 1957 calling for objections. The representations of the aggrieved officers together with the comments of the State Government were forwarded to the Government of India for being placed before the Central Advisory Committee for their consideration. The Government of India, in consultation